

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 8:09CR423
)
 Plaintiff,)
)
 v.) ORDER
)
MATTHEW KENNEDY,)
)
 Defendant.)

Before the court is the government's motion for Rule 35(b) hearing, Filing No. [54]. Having considered the matter,

IT IS ORDERED that:

1. A Rule 35 hearing is scheduled before the undersigned on **September 9, 2013 at 3:30 p.m.** in Courtroom No. 2, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

2. At the request of the defendant through her counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.

3. The Marshal is directed not to return the defendant to the district; and the defendant is held to have waived his right to be present. If the defendant wishes to participate telephonically in the hearing, her attorney must notify chambers at least 3 days before the hearing of the telephone number and contact person at the institution which defendant is incarcerated.

DATED this 28th day of August, 2013.

BY THE COURT:

s/ Laurie Smith Camp
LAURIE SMITH CAMP
Chief United States District Judge